

Readopt with amendment Saf-Mec 300, effective 1-21-15 (Doc. #10761), to read as follows:

CHAPTER Saf-Mec 300: INITIAL FUEL GAS FITTING LICENSING, PLUMBING LICENSING, FUEL GAS TRAINEE REGISTRATION LICENSES, PLUMBING APPRENTICE REGISTRATION LICENSES, AND BUSINESS ENTITY LICENSING

PART 301 DEFINITIONS

Saf-Mec 301.01 “Plumbing apprentice” means “plumbing apprentice” as defined in RSA 153:27, XV, namely, “any person who is engaged in learning and assisting in the installation of plumbing and drainage under an apprenticeship program that meets the requirements of the state apprenticeship advisory council established in RSA 278.”

Saf-Mec 301.02 “Board” means the state mechanical licensing board described in RSA 153:27-a.

Saf-Mec 301.03 “Domestic appliance technician” means “domestic appliance technician” as defined in RSA 153:27, II, namely, “any person engaged in the installation, servicing, and repair of liquefied propane or natural gas domestic appliances designed specifically for residential use, limited to residential clothes dryers and their venting systems, domestic stove tops, cook stoves and ranges and their venting systems, or outdoor cooking equipment and pool heaters.”

Saf-Mec 301.04 “Fuel gas fitter” means “fuel gas fitter” as defined in RSA 153:27, III, namely, “a hearth system installation and service technician, a fuel gas installation technician, a fuel gas service technician, or a fuel gas piping installer regulated by” RSA 153:27 through RSA 153:38.

Saf-Mec 301.05 “Fuel gas fitting” means “fuel gas fitting” as defined in RSA 153:27, IV, namely, “the installation, repair, alteration, service, demolition or removal of pipes, fixtures, fittings, appliances, or apparatus necessary for supplying natural gas or propane for residential or non-residential use from the point of delivery and all gas piping before connection to the combustion zone and including the applicable venting of flue gases to the outside atmosphere and the provisions for air for combustion and ventilation.

Saf-Mec 301.06 “Fuel gas installation technician” means “fuel gas installation technician” as defined in RSA 153:27, V, namely, “any person engaged in the installation of inside and outside piping and appliances from the point of delivery or residential and non-residential heating equipment systems or water heating systems using liquefied propane gas or natural gas.”

Saf-Mec 301.07 “Fuel gas piping installer” means “fuel gas piping installer” as defined in RSA 153:27, VI, namely, “any person engaged in the installation of liquefied propane gas or natural gas piping or who is a New Hampshire licensed plumber, approved by the board through affidavit, experience, education or training in the use of NFPA 54, national fuel gas code as adopted pursuant to RSA 153:5 in the state fire code.”

Saf-Mec 301.08 “Fuel gas service technician” means “fuel gas service technician” as defined in RSA 153:27, VII, namely, “any person engaged in the servicing and repair of inside and outside piping from the outlet of the gas meter or first stage regulator or residential and non-

residential heating equipment systems or water heating systems using liquefied propane gas or natural gas.”

Saf-Mec 301.09 “Fuel gas trainee” means “fuel gas trainee” as defined in RSA 153:27, VIII, namely, “any person engaged in the process of meeting the licensing requirements of” RSA 153:27 through RSA 153:38, “who shall work under the supervision of a licensed fuel gas fitter in the repair or installation of inside and outside piping from a gas meter or first stage regulator, and the repair or installation of residential and nonresidential heating equipment systems, hot water heating systems, or hearth equipment systems utilizing liquefied propane gas or natural gas.”

Saf-Mec 301.10 “Hearth system installation and service technician” means “hearth system installation and service technician” as defined in RSA 153:27, IX, namely “any person engaged in the installation, servicing, and repair of liquefied propane or natural gas hearth appliances and venting systems.”

Saf-Mec 301.11 “Journeyman plumber” means “journeyman plumber” as defined in RSA 153:27, X, namely, “any person who customarily performs the work of installing, maintaining and repairing plumbing and drainage under the direction of a master plumber.”

Saf-Mec 301.12 “License” means any license issued pursuant to NH RSA 153:27 through RSA 153:38 and these rules. For the purposes of these rules, the term includes any endorsement of license as listed below:

(a) A “license” as listed for fully qualified technicians such as fuel gas piping installers, fuel gas installation technicians, fuel gas service technicians, domestic appliance technicians, hearth system installation and service technicians, journeyman and master plumbers.

(b) A “registration license” such as those individuals engaged in learning the mechanical trade such as plumbing apprentices and fuel gas trainees, which requires direct supervision and registration in an approved apprenticeship or formal training program respectively; and

(c) A “certification license” issued in conjunction with the voluntary certification of oil heating technicians, and water treatment technicians.

Saf-Mec 301.13 “Master plumber” means “master plumber” as defined in RSA 153:27, XII, namely, “any person, firm, corporation, or limited liability company that, as a business, hires or employs a person or persons to do plumbing work, or, without hiring any person, does that work as a principal business or as auxiliary to a principal business for its own account.”

Saf-Mec 301.14 “Person” means “person” as defined in RSA 153:27, XIII, namely, “an individual, a natural person.”

Saf-Mec 301.15 “Plumbing” means “plumbing” as defined in RSA 153:27, XIV, namely, “the practice, materials, and fixtures used in the installing, maintenance, extension, and alteration of all piping, fixtures, plumbing appliances, and plumbing appurtenances within or adjacent to any structure, in connection with sanitary drainage or storm drainage facilities; venting systems; and public or private water systems. For the purposes of” these rules, “the term “plumbing” shall not apply beyond the first fitting beyond the foundation wall of the building or 5 feet of pipe from the building.”

Saf-Mec 301.16 “Owner’s agent” means an individual designated by the homeowner to assist with the incidental repair, replacement, maintenance and installation of a plumbing fixture or plumbing system component specifically at the owner’s residence, and that such agent in performance of his or hers duties shall not receive compensation for the plumbing work performed.

Saf-Mec 301.17 “Relevant field experience” means, with respect to oil heating, the actual trade-related functions of the installation and maintenance of piping systems, heating and air conditioning systems, appliances and appurtenances, fuel oil burning equipment, and water distribution systems not otherwise required by the licensing functions of RSA 153:27 through RSA 153:38 and this chapter.

Saf-Mec 301.18 “Equivalent hours of service in an approved educational setting” means the hours of laboratory training, in a facility reviewed and approved pursuant to Saf-Mec 308.01 and Saf-Mec 308.03, performed by a fuel gas fitter or trainee when engaged in the education and training for licensure, such that the hours of laboratory time shall be over and above the time required in these rules for formal classroom education.

Saf-Mec 301.19 “State plumbing code” means that portion of the New Hampshire state building code, as defined in RSA 155-A:1, IV, which pertains to plumbing.

Saf-Mec 301.20 “Incidental repair installation and maintenance of plumbing” means a job of minor consequence which occurs by chance and not requiring calculations or permits and inspections as mandated pursuant to NH RSA 155-A:2

Saf-Mec 301.21 “Apprentice plumber registration license and fuel gas fitting trainee registration license” means an individual license for a plumbing apprentice and/or for a fuel gas trainee that indicates the individual is in the process of learning their respective trade and has been registered and licensed as such with the board.

Saf-Mec 301.22 “Supervision of plumbing apprentices and fuel gas Trainees” means the direct supervision of a student or plumbing apprentice or fuel gas trainee while the individual is in the process of learning and applying his/her skills or is assisting a licensed fuel gas fitter or plumber.

Saf-Mec 301.23 “Direct supervision” means daily, on-site supervision by a person having professional knowledge of and licensure in the trade being performed, such that the supervisor is able to respond quickly to the needs of the supervisee or employee.

Saf-Mec 301. 24 “Primary dwelling” shall mean an existing single-family, stand-alone structure, owned and occupied by a person or persons and such structure is used as the individual's primary residence, and not a rental, income, vacation home, transient residence, hotel or motel.

Saf-Mec 301. 25 “Point of delivery” means the outlet of the natural gas meter or first stage liquefied propane regulator.

Saf-Mec 301.26 “Proof of successful completion of educational training or a formal educational program” means either a certificate of course completion, whether electronic or hard copy, including wallet cards or a course roster certified by the approved seminar provider for the course.

PART 302 GENERAL LICENSING RULES

Saf-Mec 302.01 Mandatory Licensure. No person, business entity, or both, shall engage in the business or work as a fuel gas fitter, and/or plumber, fuel gas trainee, or plumbing apprentice unless the person, business entity, or both, and lawfully licensed as provided by;

(a) RSA 153:27 through RSA 153:38; and

(b) The rules of this chapter.

Saf-Mec 302.02 Age Requirement. No individual fuel gas fitting or plumbing license shall be granted to any person less than 18 years of age, and no apprentice registration license or trainee registration license shall be granted to any person less than 16 years of age.

Saf-Mec 302.03 Term of Individual Licensure. An initial individual license shall be issued for two years, except that it shall expire on the last day of the month of the holder's birth.

Saf-Mec 302.04 Term of Business Entity Licensure. An initial business entity license issued under this chapter shall be issued for 2 years and shall expire on the last day of January.

Saf-Mec 302.05 Mandatory Business Entity Registration. All business entities, corporations, partnerships, limited liability companies and or limited liability partnerships performing fuel gas fitting or plumbing in NH shall be:

(a) Licensed pursuant to these rules; and

(b) Shall be either registered with the New Hampshire secretary of state's office, or

(c) If a foreign business entity, corporation, partnership, limited liability company and/or limited liability partnership performing fuel gas fitting or plumbing in NH, registered with the secretary of state as a foreign business entity doing business in the State of New Hampshire.

Saf-Mec 302.06 Local Permit Eligibility. A licensed business entity may apply for and receive a permit from any municipality within the state pursuant to RSA 153:29-a, V.

Saf-Mec 302.07 Certification. Unless otherwise stated in these rules, all applications and documentation shall be signed by the applicant under the penalty of unsworn falsification pursuant to RSA 641:3.

Saf-Mec 302.08 Social Security Numbers. Unless otherwise stated in these rules, all applications shall include the applicant's social security number pursuant to RSA 161-B:11.

Saf-Mec 302.09 Scope of Fuel Gas Service Technician License. An individual who meets the qualifications for fuel gas service technician shall be deemed to be qualified as a domestic appliance technician, a fuel gas installation technician, a fuel gas hearth system installation and service technician, and a fuel gas piping installer.

Saf-Mec 302.10 Scope of Fuel Gas Installation Technician License. An individual who meets the qualifications for fuel gas installation technician shall be deemed to be qualified as a domestic appliance technician, a fuel gas hearth system installer and service technician and a fuel gas piping installer.

Saf-Mec 302.11 Scope of Master Plumber License. An individual who meets the qualifications as a master plumber shall be deemed to be qualified as a journeyman plumber.

Saf-Mec 302.12 Armed Services Applicants. An individual who is in the armed services as defined in RSA 21:50, II, and who is applying for licensure, shall provide proof of direct relevant training and experience acquired in the armed services that demonstrates that the individual has completed both the educational and field experience requirements set forth in these rules.

Saf-Mec 302.13 Fuel Gas Fitting Reduction of Relevant Field Experience Hours. An individual seeking licensure as a fuel gas fitter and submitting time for the hours of relevant field experience as set forth in RSA 153:28, I(a)(2) through (4) shall:

- (a) Not be eligible for any licensing exam without first completing the minimum hours of formal education program for each fuel gas fitting licensing endorsement applied for;
- (b) Submit the hours of relevant field experience on a notarized sworn affidavit, which shall be approved by the board prior to licensure;
- (c) The proof of hours of relevant field experience shall be verified by the employer of the applicant such that the employer and/or responsible managing employee shall sign the notarized affidavit attesting to the hours of service applied for; and
- (d) No hours of relevant field experience shall not be granted to any applicant who has performed any function in violation of the registration and/or licensing requirements of RSA 153:27 through RSA 153:38 and this chapter.

Saf-Mec 302.14 Applications by Out-of-State Licensees. An out-of-state licensee seeking application for licensure shall be eligible for the licensing examination in plumbing and fuel gas fitting provided that he or she can demonstrate proof of licensure and/or certification from the state in which he or she are claiming to have worked, and provided further that the out-of-state licensee shall still comply with the prerequisites for the level of licensure sought regarding on-the-job experience, or its equivalent in an approved educational setting, as provided in RSA 153:27-38 and these rules.

PART 303 EXCEPTIONS & NOTIFICATIONS

Saf-Mec 303.01 Scope. The licensing rules of this chapter shall not apply to anyone who meets the exceptions and complies with this part.

Saf-Mec 303.02 Quality of Work.

(a) Notwithstanding any provision to the contrary, any person who is exempt under RSA 153:36, I and VII and these rules shall perform plumbing and fuel gas fitting work in accordance with:

(1) All applicable technical standards;

(2) Any applicable code, or local ordinance; and

(b) Any and all inspection requirements that might apply to the plumbing and/or fuel gas fitting work performed.

(c) Nothing in these licensing rules shall be construed as exempting any individual from following the requirements of RSA 155-A in its entirety.

(d) For the purposes of (a through c) above, an individual who meets the licensing exceptions below shall notify the building official of the work being performed and comply with any local ordinances as required.

(e) In municipalities which have not adopted an enforcement mechanism pursuant to RSA 674:51, the contractor shall notify the state fire marshal of the construction project involving fuel gas fitting and/or plumbing before construction begins.

Saf-Mec 303.03 Primary Dwelling Exemption. The license requirements of this chapter shall not apply to anyone who performs fuel gas fitting within an existing single family, stand-alone structure, owned and occupied by the person who performs the fuel gas fitting work, and such structure is used as the individual's primary residence.

Saf-Mec 303.04 Public Utilities Exemption. The license requirements of this chapter shall not apply to persons performing tasks covered by federal and state regulation of public utilities pursuant to 49 C.F.R. part 192 and Puc 500, rules of the New Hampshire public utilities commission for gas service pursuant to NH RSA 153:36, II.

Saf-Mec 303.05 Vocational Exemption. The license requirements of this chapter shall not apply to any plumbing or fuel gas fitting installations in residential buildings performed by students enrolled in a high school vocational plumbing or fuel gas fitting program approved by the department of education or an approved postsecondary vocational plumbing or fuel gas fitting program, provided:

(a) Such work is performed under the direct supervision of either a person holding a valid license for the trade that he or she is supervising, or by a licensed plumber or fuel gas fitter who is a supervisor of students in cooperative education placements from such programs;

(b) In those cases where the installation is in a new building being constructed as a part of the vocational program, the installation shall be inspected and approved by an individual or group of individuals chosen by the local school districts from persons nominated by the mechanical licensing board; and

(c) Any person nominated and approved by the board shall hold a master plumber's, fuel gas installation technician, fuel gas service technician, or piping installer license issued by the board.

Saf-Mec 303.06 Welding Exemption. The license requirements of this chapter shall not apply to any welder who shall hold a current and valid certification for welding as authorized by the American Society of Mechanical Engineers (ASME), who is supervised by a licensed fuel gas fitter or master plumber, for the sole purpose of joining pipe and pipe fittings, through the appropriate certified welding processes, to piping systems, under the direct supervision of the licensed fuel gas fitter or master plumber.

Saf-Mec 303.07 National Guard Exemption. The license requirements of this chapter shall not apply to any member of the New Hampshire National Guard while in a unit training assembly status and enrolled in a plumbing program as part of their military training. Such training shall only be provided under the direct supervision of an instructor who holds a current master plumber's license under this chapter.

Saf-Mec 303.08 Appliance Connection Exemption.

(a) The plumbing license requirements of this chapter shall not apply to any person or business entity that performs plumbing in connection with the installation of any heating, cooling, air conditioning or domestic water heating systems whether solar, oil, gas, or electric or the installation and servicing of water treatment systems or swimming pools.

(b) Any person or business entity that is exempt under this section shall perform plumbing in accordance with applicable technical standards, and comply with any code, application, and inspection requirements that apply to the plumbing performed.

(c) The connection to the plumbing system shall be limited to a ten foot radius of the appliance to be installed.

Saf-Mec 303.09 Public Water Systems Exemption.

(a) The license requirements of this chapter shall not apply to employees of public drinking water systems and public water system operators certified by the department of environmental services for drinking water treatment plants and distribution systems, when performing plumbing tasks within their certifications, as defined by RSA 485:11 and RSA 332-E:3.

(b) This exception is specifically limited to the testing, maintenance, repair or replacement, and installation of the water meter, meter horn, and backflow prevention devices directly adjacent to and required as part of the protection of the drinking water distribution system.

Saf-Mec 303.10 Specific Plumbing Exemptions. The license requirements of this chapter shall not apply to the following persons while performing plumbing work under the circumstances specifically described:

(a) To regular employees of public utilities, as defined in RSA 362:2, when performing plumbing tasks within their training, experience, and, if applicable, certification;

(b) To a person, firm, corporation, or limited liability company who regularly employs a person whose duties include the incidental repair, installation and maintenance of plumbing on the property of that person, firm, corporation, or limited liability company, when such employee is actually so engaged; or

(c) To a property owner or the property owner's agent who installs, repairs, or replaces plumbing in the property owner's own single-family detached or townhouse residence, or any property owner or property owner's agent who makes incidental installations, repairs, or replacements to the owner's property.

(d) The plumbing installed or maintained by such persons under such circumstances shall conform to any and all local and state permitting and inspection procedures pursuant with RSA 155-A, and the state plumbing code.

(e) Persons performing fuel gas fitting in the same circumstances as described in (a) through (c) above shall not be eligible for the exemption provided in this section.

PART Saf-Mec 304 LICENSE AND REGISTRATION LICENSE APPLICATION PROCEDURE

Saf-Mec 304.01 Application Process for Individuals Seeking Plumbing and Fuel Gas Fitting Licenses, Domestic Appliance Licenses and Trainee or Apprentice Registration Licenses.

(a) Each individual seeking an initial license to practice as a domestic appliance technician, a fuel gas fitter, a master or journeyman plumber, or seeking a registration license as a fuel gas trainee or plumbing apprentice, shall do so by submitting the following application packet:

- (1) An application form provided by the board;
- (2) The additional supporting materials required for each licensing endorsement or registration program applied for; and
- (3) The license or registration fees specified by Saf-Mec 501 which is applicable to the type of license or registration license sought.

(b) All applicants, pursuant to (a) above, who have been convicted of a felony, a criminal offense against another, or any criminal offense involving dishonesty beyond the age of majority, shall submit a current and signed criminal records check released to the NH mechanical licensing board, from the New Hampshire department of safety and from any state in which the applicant has any criminal history.

(c) If the board, after receiving and reviewing the completed packet, requires further information or documents to determine the applicant's qualification for licensure or registration, the board shall:

- (1) So notify the applicant in writing within 60 days;
- (2) Specify the information or documents it requires; and

(3) Require the applicant to appear before the board to present additional information and/or direct testimony regarding any felony and/or misdemeanor convictions that might result in denial of the application.

(d) The board shall deny the application if the applicant does not submit the additional information or documents requested under (c) above within 60 days of the request.

(e) The board shall approve or deny the application within 120 days of the date that the board's office has received the completed application packet and any information or documents requested under (c) above.

(f) The board shall deny an application based on the following criteria:

(1) The practice of fraud or deceit in procuring or attempting to procure a license to practice under RSA 153:27-38 and these rules;

(2) Subject to paragraph (g) below, conviction of any criminal offense involving injury to a victim or the risk of such injury or any criminal offense involving dishonesty;

(3) Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the practice of, the profession, or such conduct that poses risk to public health, safety, or welfare to individuals affected by the practices or actions of the licensee;

(4) Unfitness or incompetence by reason of negligent habits or other causes, or negligent or willful acts performed in a manner inconsistent with the health or safety of persons under the care of the licensee;

(5) Addiction to the use of alcohol or other habit-forming drugs to a degree which renders him or her unfit to practice under RSA 153:27-38 and these rules;

(6) Mental or physical incompetence to practice under RSA 153:27-38 and these rules;

(7) Willful or repeated violation of the provisions of RSA 153:27-38 and these rules; or

(8) Suspension or revocation of a license, similar to one issued under RSA 153:27-38 and this chapter, in another jurisdiction and not reinstated.

(g) For any convictions as described in paragraph (f)(2) above, the board shall consider the following:

(1) The nature of the criminal act committed;

(2) Whether or not there was a direct relationship between the criminal act and the profession for which the applicant is seeking licensure;

(3) The length of time between the conviction or release and application dates;

(4) Any rehabilitation, training, or educational courses taken as a condition of release, probation or parole;

(5) Any conditions, certificates or letters of completion regarding sentencing, release, probation or parole; and

(6) Any direct testimony from the applicant, his/her sponsor or employer.

(h) If the board denies the application, the board shall provide the applicant with written reasons for the denial.

(i) An applicant wishing to challenge the board's denial of his or her application shall make a written request for a hearing of the challenge and submit it:

(1) Within 60 days of the notice of the denial; or

(2) If the applicant is on active military duty outside the United States, within 365 days of the applicant's return to the United States or release from duty, whichever occurs later.

(j) The board shall refund the registration or license fee if:

(1) The applicant withdraws the application within 180 days of submittal;

(2) The board denies the application; or

(3) Requested by an applicant who fails to complete the examination requirements for licensure within 180 days of submittal of the completed application packet.

Saf-Mec 304.02 Application Form to be used by Applicants for Individual Licenses and Registration Licenses.

(a) The application form shall:

(1) Be provided by the board; and

(2) Be kept confidential by the board pursuant to RSA 91-A:5.

(b) The applicant shall:

(1) Complete the entire form using a keyboard or by printing the information legibly in ink;

(2) Complete all sections of the entire form or designate them as not applicable; and

(3) Sign and date the form.

(c) On the form the applicant shall designate the license sought in the space provided.

(d) Also on the form the applicant shall provide the following information:

- (1) The date the applicant submits the form;
- (2) The applicant's full legal name;
- (3) If applicable, the applicant's maiden name or any other name used by the applicant which is different from the applicant's current name;
- (4) The applicant's date of birth;
- (5) Using the "yes" and "no" boxes provided, an indication whether the applicant has already taken the licensing examination required for licensure;
- (6) Indicate by using the "yes" and "no" boxes provided:
 - a. Whether the applicant was convicted after the age of majority of:
 1. A felony;
 2. Any criminal offense involving injury to a victim or the risk of such injury; or
 3. Any criminal offense involving dishonesty;
 - b. Whether the applicant has ever been denied a license or other authorization to practice as a fuel gas fitter or plumber in any jurisdiction;
 - c. Whether the applicant has ever been the subject of any disciplinary action by any authority regulating fuel gas fitters or plumbers;
 - d. Whether the applicant has had his or her license or other authorization to practice as a fuel gas fitter or plumber suspended or revoked and not thereafter reinstated in any other jurisdiction;
 - e. Whether the applicant has ever surrendered a license or other authorization to practice as a fuel gas fitter or plumber in any jurisdiction in order to avoid or to settle disciplinary charges;
 - f. Whether the applicant knows that he or she is or will soon be the subject of a disciplinary proceeding, settlement agreement or consent decree undertaken or issued by any authority regulating fuel gas fitters or plumbers; and
 - g. Whether any claim on the basis of the applicant's fuel gas fitting or plumbing work is pending against the applicant in any court; and
- (7) The name, full business address and telephone number of:
 - a. The applicant's own business, if any; or
 - b. The applicant's employer, if any;

(e) On the application form the applicant shall place the date and his or her signature in the space provided above the following preprinted statement:

"I acknowledge that, under RSA 641:3, I, knowingly making a false statement on this application form is a misdemeanor. I certify that the information I have provided on all parts of the application form and in the documents that I have personally submitted to support my application is complete and accurate to the best of my knowledge and belief. I also certify that I have read RSA 153:27 through RSA 153:38 and the rules of the Board and promise that, if I am licensed or certified, I will abide by them."

(f) On the application form the applicant shall provide the applicant's:

- (1) Full legal name;
- (2) Home address;
- (3) Home telephone number;
- (4) Home e-mail address, if the applicant wishes to provide it; and
- (5) Date of birth;
- (6) The applicant's social security number written immediately above the following preprinted statement:

"The Mechanical Licensing Board is required by RSA 161-B:11 to obtain your social security number for the purpose of child support enforcement. Except for its use in child support enforcement, your social security number will not be used by the Mechanical Licensing Board and will be held confidential."

Saf-Mec 304.03 Effect of Signature. The effect of the applicant's signature on part one of the form shall be:

(a) The applicant's acknowledgement that, under RSA 641:3, I, knowingly making a false statement on the application form is a misdemeanor;

(b) The applicant's certification that:

- (1) The information provided on all of the parts of the application form and in the documents personally submitted to support the application is complete and accurate to the best of the applicant's knowledge and belief; and
- (2) The applicant has read the statutes and administrative rules of the board; and

(c) The applicant's promise to abide by RSA 153:27 through RSA 153:38 and the rules of the board.

Saf-Mec 304.04 Required Supporting Materials. Individual applicants for initial licensure shall provide, or arrange for the board to receive, the following documents supporting their applications:

- (a) A photograph of the applicant's face:
 - (1) Not less than 2 inches wide by 2 inches tall; and
 - (2) That accurately reflects the applicant's current appearance.
- (b) Proof of positive identification to be provided in any one of the following;
 - (1) A state driver's license or non-driver identification card with the applicant's photo embossed in the document;
 - (2) A copy of the applicant's current passport identification displaying the embossed photo of the applicant; or
 - (3) A copy of any other type of government identification card that displays the applicant's name, date of birth, facial features embossed on the document; and
- (c) If the application is for a journeyman plumber license:
 - (1) A copy of the applicant's apprenticeship completion certificate;
 - (2) A photocopy of any apprentice identification license card issued to the applicant by the board;
 - (3) A copy of any previously held out of state plumbing license or other authorization to practice as a plumber;
 - (4) One signed letter written by the licensed plumber supervising, or directing the supervision of, the applicant's plumbing during the applicant's military service or apprenticeship stating:
 - a. That the writer supervised the applicant's plumbing work in the military or in the applicant's apprenticeship program;
 - b. The writer's opinion that the applicant is competent to be a journeyman plumber; and
 - c. The writer's name, address and telephone number; and
 - (5) The applicant's examination score.
- (d) If the application is for a master plumber:
 - (1) A photocopy of the current and valid NH journeyman plumbing license held for no less than 6 months by the applicant;
 - (2) One signed letter written by the licensed plumber supervising, or directing the supervision of, the applicant's plumbing during the applicant's military service or journeyman's employment stating that:

- a. The writer supervised the applicant's plumbing work in the military or in the applicant's journeyman employment;
- b. The writer's opinion that the applicant is competent to be a master plumber; and
- c. The writer's name, address and telephone number; and

(3) The applicant's examination score.

(e) If the application is for a plumbing apprentice registration license:

(1) One signed letter written by the licensed master plumber who shall be supervising, or directing the applicant's plumbing apprenticeship during the applicant's service or employment stating that:

- a. The master of record or his/her NH licensed plumbing employee will directly supervise the applicant's plumbing apprenticeship work while in his/her employment;
- b. The master plumber of record will register the applicant in an approved apprenticeship program pursuant to NH RSA 278;
- c. The applicant will work under an apprenticeship program meeting the requirements of the state apprenticeship council; and
- d. The master plumber's opinion that the applicant is competent to be trained as a plumber; or

(2) A completed apprenticeship agreement as signed and authorized by the US Department of Labor for the NH plumbing apprentice program to be placed on file with the board prior to the first renewal date.

(f) If the application is for a fuel gas trainee registration license:

(1) One signed letter written by the licensed fuel gas fitter, who shall be supervising, or directing the applicant's fuel gas fitting training during the applicant's service or employment, stating that:

- a. The fuel gas fitting sponsor of record or a licensed fuel gas fitter within the same firm will provide direct supervision of the applicant's fuel gas fitting work while in his/her employment;
- b. The fuel gas fitter sponsor of record will register the applicant in an approved fuel gas educational and training program applicable for the discipline to which the applicant is in training for;
- c. The applicant will participate in an employee development program in which the sponsor and/or firm will monitor and record hours of actual service, competency levels and completion of the formal education courses required for licensure; and

d. The licensed fuel gas fitting sponsor's opinion that the applicant is competent to be trained as a fuel gas fitter.

(g) If the application is for an individual fuel gas fitting license:

- (1) A copy of the current and valid NH fuel gas fitting trainee registration license, a copy of the current fuel gas fitting license held by the applicant, or a copy of licensure from an out of state licensing agency which licenses fuel gas fitting as defined in RSA 153:27, IV;
- (2) Proof of completion of the educational requirements for the licensing endorsement the applicant is seeking to obtain;
- (3) Proof of the successful completion of the licensing exam for the endorsement being applied for;
- (4) Proof of completion of the hours of service signed by the licensing sponsor and/or employer required for the licensing endorsement the applicant is seeking to obtain;
- (5) Proof of completion of any hours of relevant field experience of which the applicant may be wishing to apply for, provided:
 - a. Hours of relevant field experience are not more than 60 months old;
 - b. Hours of relevant field experience for oil heating meet the definition of Saf-Mec 301.17; and
 - c. Hours of relevant field experience have been verified through sworn affidavit by the applicants licensed fuel gas fitting employer and sponsor; and
- (6) One signed letter written by the licensed fuel gas fitter, who was supervising, sponsoring, or directing the applicant's fuel gas fitting training and development during the applicant's service or employment, stating that the applicant meets the minimum competency requirements for the licensing endorsement being applied for.

(h) If the application is for an individual domestic appliance technician license:

- (1) A copy of the current and valid NH fuel gas fitting trainee registration license or a copy of licensure from an out of state licensing agency which licenses the installation, replacement and service of domestic appliances as defined in RSA 153:27, II;
- (2) A certificate of completion of the NH fuel gas fitting educational requirements for appliance installation, service and replacement as approved by the board;
- (3) A certificate of attendance demonstrating completion of the factory authorized service and installation training program for the appliances in which a domestic

technician is seeking licensure for, or a certificate of the successful completion of the licensing exam for the domestic appliance technician;

(4) An affidavit demonstrating the hours of service signed by the licensing sponsor and/or employer required for licensure as a domestic appliance technician;

(5) An affidavit demonstrating completion of any hours of relevant field experience of which the applicant may be wishing to apply for provided;

a. Hours of relevant field experience are not more than 60 months old and;

b. Hours of relevant field experience have been verified through sworn affidavit by the applicants licensed fuel gas fitting employer and sponsor and;

(6) One signed letter written by the licensed fuel gas fitter, who was supervising, sponsoring, or directing the applicant's domestic appliance training and development during the applicant's service or employment, stating that the applicant meets the minimum competency requirements.

PART Saf-Mec 305 ELIGIBILITY AND EXAMINATION FOR PLUMBING AND FUEL GAS FITTING LICENSURE

Saf-Mec 305.01 Eligibility Requirements for Initial Individual Plumbing Licensure.

(a) A person shall be eligible for initial licensure as a master plumber if he or she:

(1) Is of good character and professional competence, as evidenced by:

a. The information supplied on the application form;

b. Any information submitted pursuant to Saf-Mec 304.04(d); and

c. Is a journeyman plumber without a history of consumer complaints resulting in any disciplinary sanctions by the board within the past year;

(2) Has held a New Hampshire journeyman plumber license for at least 6 months;

(3) Can demonstrate proof of successful completion by examination to become licensed as a master plumber, which shall consist of multiple choice questions on the following topics:

a. Plumbing systems drainage;

b. Basic and advanced plumbing theory;

c. Reading and interpretation of plumbing plans and drawings;

- d. Plumbing systems venting;
- e. Installation and protection of the potable water supply;
- f. Proper material selection;
- g. Backflow installation and protective devices;
- h. Commercial kitchen design, installation and maintenance;
- i. System sizing and fixture calculations;
- j. Accessibility and handicapped requirements;
- k. Plumbing system testing, inspection and disinfecting;
- l. Adopted plumbing codes and standards, along with their amendments;
- m. Plumbing code administration as set forth in chapter one of the state plumbing code, including but not limited to, required permits and inspections; and
- n. New Hampshire statutory and regulatory law governing plumbing; and

(4) Has passed the master plumber examination by answering at least 75% of the questions correctly.

(b) A person shall be eligible for initial licensure as a journeyman plumber if he or she:

(1) Is of good character and professional competence as evidenced by:

a. The information supplied on the application form; and

b. Any information submitted pursuant to Saf-Mec 304.04(c); and

(2) Has received an apprenticeship completion certificate issued by the apprenticeship council; or

(3) Has demonstrated proof of previous licensure as a journeyman plumber in any other state or jurisdiction responsible for the licensure of plumbers;

(4) Has taken the examination to become licensed as a journeyman plumber, which shall consist of multiple choice questions on, but not limited to, the topics listed in Saf-Mec 305.01(a)(3) above; and

(5) Has passed the journeyman plumber examination by answering at least 70% of the questions correctly.

Saf-Mec 305.02 Eligibility Requirements for Initial Individual Fuel Gas Fitter Licensure as a Fuel Gas Piping Installer.

(a) A fuel gas piping installer specialty license shall be provided to individuals who are engaged in the installation of liquefied propane gas or natural gas piping, or who is a New Hampshire licensed plumber, approved by the board through affidavit, experience, and education or training in the use of NFPA 54, national fuel gas code as adopted pursuant to RSA 153:5 in the state fire code, as defined in RSA 153:27, VI, and who shall install propane and natural gas piping from the outlet of the first stage regulator for liquefied propane, or the outlet of the natural gas meter, which shall be the point of delivery, to any and all fuel gas appliance(s) or other gas utilization equipment, including any and all future portions of the gas distribution system located therein.

(b) To qualify for a fuel gas piping installer license, an individual shall provide the following;

(1) Proof of successful completion of a minimum of 60 hours of educational training which covers the following subject matter:

- a. Basic gas theory involving a thorough understanding of the physical properties and characteristics of propane and natural gas;
- b. Reading and interpretation of fuel gas piping plans and drawings;
- c. Determining proper fuel gas piping systems using appropriate sizing tables and charts;
- d. Piping installation involving review of gas pipe sizing, gas pipe material selection, proper installation of underground and above ground fuel gas piping supply and distribution systems, placing a fuel gas system in service including purging, initial pressure testing, and leak check of gas distribution piping and appliances;
- e. The documentation of fuel gas piping system pressure testing, leak checking including customer notification as to the safety procedures and recognition of fuel gas odors; and
- f. The application of laws regulations and adopted codes pertaining to fuel gas piping installation and licensing; and

(2) A minimum of 1,000 working hours of on-the-job experience in the trade or its equivalent in an approved educational setting as defined in Saf-Mec 301.18, relevant to the installation of gas piping within 60 consecutive months, 500 hours of which may be applied if the applicant can demonstrate proof of relevant field experience installing, servicing, and repairing heating oil fired equipment.

(c) Notwithstanding any rule to the contrary, a NH licensed plumber who demonstrates that he or she is licensed in good standing, shall be qualified for a fuel gas piping installer license once he or she demonstrates successful completion of (b)(1) above.

Saf-Mec 305.03 Eligibility Requirements for Initial Individual Fuel Gas Fitter Licensure as a Fuel Gas Installation Technician.

(a) A fuel gas installation technician specialty license shall be provided to any individual engaged in the installation of inside and outside piping from the outlet of the gas meter or first stage regulator or residential and non-residential heating equipment systems or water heating systems using liquefied propane gas or natural gas as defined in RSA 153:27, V, which shall also include:

(1) The installation of propane and natural gas piping from the point of delivery to the appliance(s);

(2) The installation of gas appliances and any other gas utilization equipment using liquefied petroleum gas;

(3) The installation of the venting and vent systems for gas appliances and any other gas utilization equipment which shall include the air for combustion and/or dilution; and

(4) The performance of safety checks, equipment conversion to ensure the proper fuel supply, required efficiency and start up procedures to ensure the safe operation of the fuel gas appliances being installed.

(b) To qualify for a fuel gas installation technician specialty license, an individual shall provide proof of successful completion the following:

(1) A minimum of 100 hours of educational training in the following subject matter:

a. Basic gas theory involving a thorough understanding of the physical properties and characteristics of propane and natural gas;

b. Reading and interpretation of fuel gas piping plans and drawings;

c. Determining proper fuel gas piping systems using appropriate sizing tables and charts;

d. Piping installation involving review of gas pipe sizing, gas pipe material selection, proper installation of underground and above ground fuel gas piping supply and distribution systems, placing a fuel gas system in service including purging, initial pressure testing, and leak check of gas distribution piping and appliances;

e. The documentation of fuel gas piping system pressure testing, leak checking including customer notification as to the safety procedures and recognition of fuel gas odors;

f. Liquefied propane and natural gas appliance installation, including clearance to combustibles, combustion, dilution, and the proper sizing of ventilation air requirements;

- g. Liquefied propane and natural gas appliance venting including venting categories, selection and use of proper venting materials, vent sizing and clearances and installation;
- h. Placing propane and natural gas appliances equipment into service while controlling propane/air mixtures for proper combustion;
- i. Verification for proper operation of safety controls and devices;
- j. The proper utilization of combustion analyzing equipment with respect to applicable codes and manufacturer's installation instructions; and
- k. The application of the adopted codes and standards that apply to the requirements of Saf-Mec 305.03 (b)(1); and

(2) A minimum of 1,000 working hours of on-the-job experience in the trade or its equivalent in an approved educational setting as defined in Saf-Mec 301.18, relevant to the installation, service, and repair of gas appliances or equipment within 60 consecutive months, 500 hours of which may be applied if the applicant can demonstrate proof of relevant field experience installing, servicing and repairing heating oil fired appliances or equipment.

(c) Notwithstanding any rule to the contrary, an individual who is holding a fuel gas piping installer's license pursuant to Saf-Mec 305.02 wishing to ascend to this licensing level shall provide proof of:

(1) Successful completion of a formal educational program of at least 40 hours approved pursuant to the subject matter prescribed by Saf-Mec 305.03(b)(1) f. through k. above; and

(2) A minimum of 1,000 working hours of on-the-job experience in the trade or its equivalent in an approved educational setting as defined in Saf-Mec 301.18, relevant to the installation, service, and repair of gas appliances or equipment within 60 consecutive months, 500 hours of which may be applied if the applicant can provide proof of relevant field experience installing, servicing and repairing heating oil fired appliances or equipment.

Saf-Mec 305.04 Eligibility Requirements for Initial Individual Fuel Gas Fitter Licensure as a Fuel Gas Service Technician.

(a) A fuel gas service technician specialty license shall be provided to individuals engaged in the servicing and repair of inside and outside piping from the outlet of the gas meter or first stage regulator or residential and non-residential heating equipment systems or water heating systems using liquefied propane gas or natural gas.

(b) An individual for the fuel gas service technician specialty license shall provide proof of successful completion of the following:

(1) A minimum of 140 hours of educational training in the following subject matter:

- a. Basic gas theory involving a thorough understanding of the physical properties and characteristics of propane and natural gas;
- b. Reading and interpretation of fuel gas piping plans and drawings;
- c. Determining proper fuel gas piping systems using appropriate sizing tables and charts;
- d. Piping installation involving review of gas pipe sizing, gas pipe material selection, proper installation of underground and above ground fuel gas piping supply and distribution systems, placing a fuel gas system in service including purging, initial pressure testing, and leak check of gas distribution piping and appliances;
- e. The documentation of fuel gas piping system pressure testing, leak checking including customer notification as to the safety procedures and recognition of fuel gas odors;
- f. Liquefied propane and natural gas appliance installation including clearance to combustibles, combustion, dilution, and the proper sizing of ventilation air requirements;
- g. Liquefied propane and natural gas appliance venting including venting categories, selection and use of proper venting materials, vent sizing and clearances and installation;
- h. Placing propane and natural gas appliances equipment into service while controlling propane/air mixtures for proper combustion;
- i. Verification for proper operation of safety controls and devices;
- j. The proper utilization of combustion analyzing equipment with respect to applicable codes and manufacturer's installation instructions;
- k. Troubleshooting electrical circuits and control devices while measuring electrical quantities using an electrical meter;
- l. Identifying operating characteristics and components of common appliance safety and sensing devices including the testing and replacement of operating controls;
- m. Gas pressure measurements including supply and appliance burner pressure detection;
- n. Ignition safety systems including the 100 percent pilot safety shut-off and other electronic safety shut-off devices;
- o. Flue gas analysis and carbon monoxide detection;
- p. Interpretation of gas appliance equipment wiring diagrams to determine the sequence of operation of any given appliance;

q. Fuel gas equipment maintenance and inspection, heat exchanger inspection, and routine service requirements; and

r. Application of the adopted codes and standards as it relates to the items above; and

(2) A minimum of 2,000 working hours of on-the-job experience in the trade or its equivalent in an approved educational setting as defined in Saf-Mec 301.18, relevant to the installation, service, and repair of gas appliances or equipment within 60 consecutive months, 750 hours of which may be applied if the applicant can demonstrate proof of relevant field experience installing, servicing, and repairing heating oil fired appliances or equipment.

(c) Notwithstanding any rule to the contrary, an individual holding a fuel gas installation technician license pursuant to Saf-Mec 305.03 and wishing to ascend to this licensing level shall provide proof of:

(1) Successful completion of a formal educational program of at least 40 hours approved pursuant to Saf-Mec 305.04 in the subject matter prescribed by (b)(1) k. through r. above; and

(2) A minimum of 2,000 working hours of on-the-job experience in the trade or its equivalent in an approved educational setting as defined in Saf-Mec 301.18, relevant to the installation, service, and repair of gas appliances or equipment within 60 consecutive months, 750 hours of which may be applied if the applicant can demonstrate proof of relevant field experience installing, servicing and repairing heating oil fired appliances or equipment.

Saf-Mec 305.05 Eligibility Requirements for Initial Individual Fuel Gas Fitter Licensure as a Hearth System Installation and Service Technician.

(a) A hearth system installation and service technician specialty license shall be provided to individuals engaged in the installation, servicing, and repair of liquefied propane gas or natural gas hearth appliances and venting systems.

(b) An individual for the hearth system installation and service technician specialty license shall provide proof of successful completion of the following:

(1) A minimum of at least 60 hours of educational training which covers the following subject matter:

a. Basic gas theory involving a thorough understanding of the physical properties and characteristics of propane and natural gas;

b. Piping installation involving review of gas pipe sizing, gas pipe material selection, proper installation of underground and above ground fuel gas piping supply, placing a fuel gas system in service including purging, initial pressure testing, and leak check of gas distribution piping and appliances;

- c. Placing propane and natural gas equipment into service while controlling propane/air mixtures for proper combustion;
- d. Liquefied propane and natural gas hearth installation, including clearance to combustibles and the proper sizing of ventilation systems, including the combustion and dilution air requirements;
- e. Liquefied propane gas and natural gas equipment venting including venting categories, vent materials, vent sizing, and clearances;
- f. Diagnostics of hearth system appliances;
- g. Troubleshooting hearth system appliances;
- h. Gas pressure measurements and detection, flue gas analysis, and leak detection;
- i. Ignition control systems; and
- j. The application of the adopted codes and standards as it relates to the items above; and

(2) A minimum of 2000 hours of field experience relevant to the installation and service of hearth appliances and hearth appliance venting systems within 60 consecutive months.

Saf-Mec 305.06 Eligibility Requirements for Initial Individual Domestic Appliance Technician Licensure.

(a) A domestic appliance technician specialty license shall be provided to individuals engaged in the specific installation, servicing, and repair of liquefied propane or natural gas domestic appliances designed specifically for residential use, limited to residential clothes dryers and their exhaust systems, domestic cook tops and ranges and their venting systems, outdoor cooking equipment, and pool heaters, including the venting systems for which the training and manufacturers certification applies to.

(b) A domestic appliance technician specialty license applicant shall provide proof of successful completion of the following:

- (1) A minimum of at least 40 hours of educational training which covers the following subject matter:
 - a. Basic gas theory involving a thorough understanding of the physical properties and characteristics of propane and natural gas;
 - b. Fixed piping installation involving review of gas pipe sizing, gas pipe material selection, proper installation of above ground fuel gas piping supply, placing a fuel gas system in service including purging, initial pressure testing and leak check of gas distribution piping and residential cooking and clothes drying appliances, generators, outdoor pool heaters or outdoor fireplaces, and cooking equipment;

- c. Placing propane and natural gas equipment into service while controlling propane/air mixtures for proper combustion;
- d. Liquefied propane and natural gas appliance installation including clearance to combustibles, combustion, dilution, and ventilation air requirements are properly sized;
- e. Liquefied propane gas and natural gas equipment venting including venting categories, vent materials, vent sizing, and clearances; and
- f. Fundamentals of residential dryer exhaust and exhaust systems.

(2) A minimum of 30 hours of factory authorized certification training specific to the appliances of which the applicant will be performing installation and service on:

- a. Diagnostics of appliances;
- b. Troubleshooting specific appliances;
- c. Gas pressure measurements and detection, flue gas analysis and leak detection;
- d. Ignition control systems;
- e. Following manufacturer's specifications for installation and service; and
- f. The application of adopted codes and standards as it relates to the items above; and

(3) A minimum of 1000 hours of field experience relevant to the installation and service of appliances and appliance venting systems within 60 consecutive months.

PART Saf-Mec 306 PLUMBING APPRENTICES AND FUEL GAS TRAINEES

Saf-Mec 306.01 Obligations of Plumbing Apprentices. Licensed plumbers shall take on as apprentices only those individuals who:

(a) Work under a licensed NH master plumber who shall supervise the work experience and provide for educational development under an apprenticeship program meeting the requirements of the state apprenticeship council; and

(b) Hold a currently valid apprentice registration license issued by the board.

Saf-Mec 306.02 Obligations of Fuel Gas Trainees. Licensed fuel gas fitters shall sponsor as trainees only those individuals who:

(a) Work under a licensed NH fuel gas fitter who shall sponsor the trainee and oversee his/her educational and work experience meeting the requirements for fuel gas fitting licensing; and

(b) Hold a currently valid trainee registration license issued by the board.

Saf-Mec 306.03 Initial Apprentice Registration Licenses. The board shall issue apprentice registration licenses to those individuals who:

(a) Enter into an agreement between the employer / master plumber to work under an approved plumbing apprenticeship program meeting the requirements of the state apprenticeship council;

(b) Complete the board's apprentice / trainee registration form; and

(c) Pay the fee specified in Saf-Mec 501.02.

Saf-Mec 306.04 Initial Trainee Registration Licenses. The board shall issue trainee registration licenses to those individuals who:

(a) Enter into an agreement between the employer / licensed fuel gas sponsor to enroll under an approved fuel gas training program meeting the requirements of the board;

(b) Complete the board's apprentice / trainee registration form; and

(c) Pay the fee specified in Saf-Mec 501.02.

Saf-Mec 306.05 Concurrent Hours of Relevant Field Experience For Apprentices and Trainees. For the purposes Saf-Mec 306.04 above, any registered licensed plumbing apprentice who is also a registered licensed fuel gas trainee may accrue their hours of relevant field experience concurrently.

PART Saf-Mec 307 MECHANICAL BUSINESS ENTITIES

Saf-Mec 307.01 Application Form to be Used by Mechanical Business Entities, Mechanical Corporations, Limited Liability Companies and Partnerships.

(a) On the form to be used by a mechanical businesses applying for licensure pursuant to RSA 153:29-a, the applicant shall identify the plumbing or fuel gas fitting business as a corporation, a limited liability company or a partnership.

(b) The applicant shall also provide:

(1) The date the applicant submits the form;

(2) The name of the plumbing or fuel gas fitting business, corporation, limited liability company, or partnership;

(3) The full mailing address of the mechanical business entity, corporation, limited liability company, or partnership;

- (4) The full physical address of the mechanical business entity, corporation, limited liability company, or partnership;
- (5) The telephone number of the mechanical business entity, corporation, limited liability company, or partnership;
- (6) The name of a responsible managing employee of the mechanical business entity, limited liability company, or managing partner, as applicable, holding a currently valid New Hampshire mechanical license;
- (7) The mechanical license number of that person's individual mechanical license;
- (8) As applicable, one of the following titles for that person:
 - a. Owner/President of the applicant's business; or
 - b. Responsible managing employee and position title of the applicant's business entity;
- (9) If the business or corporation employs any form of licensed plumbers or fuel gas fitting technicians which includes plumbing apprentices and fuel gas trainees.

Saf-Mec 307.02 Effect of Signature on Application for License as a Mechanical Business. Each applicant shall sign the application which acknowledges the statement below:

"I acknowledge that, under RSA 641:3, I, knowingly making a false statement on this application form is a misdemeanor. I certify that the information I have provided on all parts of the application form and in the documents that I have personally submitted to support my application is complete and accurate to the best of my knowledge and belief. I also certify that I have read RSA 153:27 through RSA 153:38 and the rules of the board and will abide by them."

Saf-Mec 307.03 Required Supporting Materials. Business applicants for licensure shall provide the following documents supporting their applications:

- (a) A photocopy of the New Hampshire master plumber and/or fuel gas fitting license held by the person who signed the application;
- (b) A letter signed by the managing members, corporate officers, partners, and/or business entity owner stating that the person who signed the application is the responsible managing employee or owner of record for the business entity; and
- (c) If the applicant is a business that is incorporated, formed or located outside of New Hampshire, a photocopy of its certificate of authority to conduct business in New Hampshire.

Saf-Mec 307.04 Application Process for Mechanical Business Entities, Mechanical Corporations, Limited Liability Companies and Partnerships.

- (a) Each corporation, limited liability company, or partnership seeking an initial license to practice fuel gas fitting and/or plumbing shall do so by submitting the following application packet:

- (1) A business application form provided by the board;
- (2) The additional supporting materials specified by Saf-Mec 307.03; and
- (3) Any business license fee required by Saf-Mec 502.01.

(b) The board shall not consider a request for initial licensure until the completed business application packet described in (a) above has been received by the board's office.

(c) If the board, after receiving and reviewing the completed business application packet, requires further information or documents pursuant to (a) above, to determine the applicant's qualification for licensure, the board shall:

- (1) So notify the applicant in writing within 60 days; and
- (2) Specify the information or documents it requires.

(d) The board shall deny the application if the applicant does not submit the additional information or documents requested under (c) above within 60 days of the request.

(e) The board shall approve or deny the application, in accordance with Saf-Mec 307.05, in writing within 120 days of the date that the board's office has received the completed business application packet and any information or documents requested under (c) above.

(f) The board shall refund any license fee paid if:

- (1) The business applicant withdraws the application; or
- (2) The board denies the application.

(g) A business applicant wishing to challenge the board's denial of its application shall make a written request for a hearing of the challenge and submit it within 60 days of the notice of the denial.

(h) A mechanical business owner who is the sole licensee for the business entity, meaning that they employ no plumbing and/or fuel gas fitting technicians, shall be exempt from the licensing fees, until such time they take on apprentices, trainees or licensed plumbers or fuel gas fitting technicians.

Saf-Mec 307.05 Eligibility Requirements for Initial Business Licensure.

(a) A business shall be eligible for initial licensure if the business:

- (1) Is any company employing one or more field technicians, a corporation, a limited liability company, or a partnership or a limited liability partnership;
- (2) Is engaged in fuel gas fitting or plumbing;

(3) Employs at least one corporate officer, or responsible managing employee, as applicable, who currently holds a New Hampshire fuel gas fitting license and/or master plumber license specific to the discipline for which licensure is sought; and

(4) Pays the applicable fee as prescribed in Saf-Mec 502.01.

(b) A licensed fuel gas fitting or plumbing business shall:

(1) Not act as a fuel gas fitter or master plumber unless the responsible managing employee is currently licensed as a fuel gas fitter and/or master plumber; and

(2) Not act as a fuel gas fitter or master plumber, until another individual licensed as a fuel gas fitter and/or a master plumber takes the position of the withdrawn or deceased individual.

(3) Within 30 days after the death or withdrawal of the licensed person as a corporate officer, or designee, or member of the partnership, or responsible managing employee, or one or more managing members of the limited liability company, or designee, the licensed business entity, corporation, partnership, or limited liability company shall give notice thereof to the board and, if no other officer, partner, manager or designee, is licensed as a fuel gas fitter and/or master plumber respectively, the corporation, or partnership, or limited liability company shall not act as a fuel gas fitter and/or plumber, or combination thereof until some other officer, member, or designee, has obtained a licensed fuel gas fitter and/or master plumber as the responsible managing employee respectively.

Saf-Mec 307.06 Duties and Recognition of a Mechanical Business Entity.

(a) No business shall perform fuel gas fitting and/or plumbing without a business entity license pursuant to Saf-Mec 307.

(b) Each licensed business entity shall be issued an embossed certificate by the board.

(c) The certificate issued by the board shall serve as formal recognition of proper licensure for the purposes of NH RSA 155-A, and may be used by said business entities for local permit application processes.

(d) For the purposes of (c) above, and upon the request of a local permitting official, a business entity shall provide a current list of all licensed fuel gas fitters and/or plumbers employed by said entity.

PART 308 APPROVAL OF TRAINING AND TESTING PROGRAMS FOR LICENSURE

Saf-Mec 308.01 Approval of Training Programs for Licensure.

(a) The mechanical licensing board shall approve all educational programs for content, continuity, and applicability toward the licensing of individuals for fuel gas fitting, domestic appliance technicians, hearth system installation and service technicians, and plumbing.

(b) If the program requires the use of a classroom, the mechanical licensing board shall review and approve the facility for each applicant's request to determine that the students are attending programs in an environment that shall be as comfortable as possible with regard to temperature, light and seating arrangements.

(c) An applicant that wants to have its training program accepted under these rules shall submit to the mechanical licensing board a short statement describing the licensing program or specialty license endorsement program for which the training program is to be evaluated, including:

- (1) The training program's curriculum;
- (2) A copy of the training program's educational material;
- (3) A statement demonstrating the method by which the subject matter will be delivered to the student;
- (4) Copies of quizzes, worksheets, handouts and chapter exams;
- (5) A statement demonstrating:
 - a. The integrity and proctoring of exams; and
 - b. The educational subject matter incorporated in the tests; and
- (6) A biography of the training program instructors that demonstrates proof of the educational and trade experience required to instruct students on the requested subject matter.

(d) Upon receipt of a request for approval of an applicant's training program, the board shall schedule a time for the applicant to provide a presentation to the board.

Saf-Mec 308.02 Testing Organization Approval.

(a) Applicants seeking approval of their testing program for shall submit to the mechanical licensing board the following:

- (1) A short statement of the specialty license for which the applicant wants its testing program to be evaluated;
- (2) Copies of the exams that demonstrate the validity of the exam questions as they relate to the adopted codes, standards, and these rules specifically related to licensing endorsement, or trade applied for;
- (3) The testing administration procedure, as follows:
 - a. Exams shall consist of a mixture of multiple choice, true or false, fill in the blank, and work sheet calculations;
 - b. Each exam for licensure shall be no less than 100 questions; and

c. For the purposes of licensing administration, a passing score shall be no less than 70% unless otherwise specified in these rules; and

(4) Evidence of the following standards of exam integrity:

- a. Tests shall be validated by the testing entity and audited by the board, biannually, to insure reliability to current industry standards, accepted practices and concurrence with applicable codes and standards;
- b. Tests shall be maintained in a manner that demonstrates the highest regard for test security, including secured in a locked cabinet when not in use; and
- c. The testing entity shall notify the board of its biannual validation of tests pursuant to a. above at which time the board shall conduct an audit of the exam and procedures; and

(5) Evidence of the following standards for the proctoring of exams:

- a. Tests shall be administered only to those candidates that have met all of the prerequisites for the specific test being administered;
- b. Test proctors and examiners shall not have been the candidate's instructor for the specialty license they are administering;
- c. Proctors shall monitor the registration process for all examinations;
- d. Candidates shall be required to show proof of positive identification by means of government issued photo identification;
- e. Testing environment shall be as comfortable as possible with regard to temperature, light and seating arrangements;
- f. Candidates shall not be permitted to bring any electronic devices into an exam, except that a non-programmable calculator shall be permitted during exams requiring mathematical calculations;
- g. Candidates shall be adequately spaced so that they cannot readily view the exam documents of other candidates; and
- h. Alternative proctoring methods, such as oral examination shall be permitted, as approved by the board, provided that adequate justification is submitted. Such alternative methods shall be as closely similar to the written test method with regard to exam integrity.

(b) Upon receipt of a request for approval of an applicant's examination program, the board shall schedule a time for the applicant to provide a presentation to the board.

Saf-Mec 308.03 Approval.

(a) The board shall review and approve a training program that meets or exceeds the educational standards specified in these rules.

(b) The board shall review and approve an examination program that meets or exceeds the standards specified in these rules.

(c) The passage of these rules shall not be deemed to discontinue the approval of any training or examination program approved prior to the effective date of these rules.

APPENDIX

Rule	Statute Implemented
Saf-Mec 301.01	RSA 153:27, XV
Saf-Mec 301.02	RSA 153:27-a; RSA 153:27, I
Saf-Mec 301.03	RSA 153:27, II
Saf-Mec 301.04	RSA 153:27, V, VI, VII and IX
Saf-Mec 301.05	RSA 153:27, IV
Saf-Mec 301.06	RSA 153:27, V
Saf-Mec 301.07	RSA 153:27, VI
Saf-Mec 301.08	RSA 153:27, VII
Saf-Mec 301.09	RSA 153:27, VIII
Saf-Mec 301.10	RSA 153:27, IX
Saf-Mec 301.11	RSA 153:27, X
Saf-Mec 301.12	RSA 541-A:7
Saf-Mec 301.13	RSA 153:27, XII
Saf-Mec 301.14	RSA 153:27, XIII
Saf-Mec 301.15	RSA 153:27, XIV
Saf-Mec 301.16-301.18	RSA 541-A:7
Saf-Mec 301.19	RSA 541-A:7; RSA 155-A:1, IV
Saf-Mec 301.20-301.24	RSA 541-A:7
Saf-Mec 302.01	RSA 153:37, I
Saf-Mec 302.02	RSA 153:28, I(a); RSA 278:8, IV
Saf-Mec 302.03	RSA 153:30, I(a)
Saf-Mec 302.04	RSA 153:29-a, II
Saf-Mec 302.05	RSA 153:29-a, I; RSA 293-A:15.01
Saf-Mec 302.06	RSA 153:29-a, V
Saf-Mec 302.07	RSA 153:27-a, II(b); RSA 641:3
Saf-Mec 302.08	RSA 153:27-a, II(b); RSA 161-B:11
Saf-Mec 302.09-302.14	RSA 153:27-a, II(b)
Saf-Mec 303	RSA 153:36
Saf-Mec 304.01(a) and (b)	RSA 153:27-a, II(b)
Saf-Mec 304.01(c) and (d)	RSA 153:27-a, II(b); RSA 541-A:29, I
Saf-Mec 304.01(e)	RSA 153:27-a, II(b); RSA 541-A:29, II
Saf-Mec 304.01(f)	RSA 153:27-a, II(b); RSA 153:32, II
Saf-Mec 304.01(g)-304.02(d)(6)a.	RSA 153:27-a, II(b); RSA 332-A:1
Saf-Mec 304.02(d)(6)b.-304.04	RSA 153:27-a, II(b)
Saf-Mec 305.01	RSA 153:27-a, II(b); RSA 153:29
Saf-Mec 305.02-305.06	RSA 153:27-a, II(b)
Saf-Mec 306	RSA 153:27-a, II(b)
Saf-Mec 307	RSA 153:29-a
Saf-Mec 308	RSA 153:27-a, II(c)